

FILED

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION

99 SEP 30 AM 10:07

U.S. DISTRICT COURT  
N.D. OF ALABAMA

FRANKLIN DELANO ACOFF,

Plaintiff,

vs.

CV-97-N-2876-S

SERGEANT GLENN MARTIN and  
JESSE VANN,

Defendants.

**ENTERED**  
SEP 30 1999

MEMORANDUM OF OPINION

The magistrate judge filed a report and recommendation on September 13, 1999, recommending that the defendants' motion for summary judgment be granted and this cause be dismissed with prejudice. No objections have been filed by any party.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation, the Court is of the opinion that the magistrate judge's report is due to be and is hereby ADOPTED and his recommendation is ACCEPTED. The Court EXPRESSLY FINDS that there are no genuine issues of material fact and that the defendants are entitled to judgment as a matter of law. Accordingly, defendants' motion for summary judgment is due to be GRANTED and this action is due to be DISMISSED WITH PREJUDICE. A Final Judgment will be entered.

DONE this the 30<sup>th</sup> day of Sept, 1999.

  
EDWIN L. NELSON

UNITED STATES DISTRICT JUDGE

14